

JOHN F. DUNPHY, OWNER OF STEAMSHIP "MARGARET  
J. SANFORD," v. UNITED STATES

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COMMUNICATION

FROM

THE PRESIDENT OF THE UNITED STATES

TRANSMITTING

PURSUANT TO LAW A RECORD OF JUDGMENT RENDERED AGAINST  
THE GOVERNMENT BY THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK, IN THE CASE OF  
JOHN F. DUNPHY, OWNER OF STEAMSHIP "MARGARET J. SAN-  
FORD," TOGETHER WITH A LETTER FROM THE DIRECTOR OF  
THE BUREAU OF THE BUDGET

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FEBRUARY 26 (calendar day, FEBRUARY 28), 1925.—Read; referred to the Com-  
mittee on Appropriations and ordered to be printed

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THE WHITE HOUSE,  
Washington, February 28, 1925.

The PRESIDENT OF THE SENATE.

SIR: I have the honor to transmit herewith for the consideration of Congress, in accordance with the provisions contained in the deficiency act of April 27, 1904 (33 Stat. 422), a record of judgment rendered against the Government by the United States District Court for the Southern District of New York, under the provisions of the act of March 3, 1887 (24 Stat. 505), as amended by section 297 of the act of March 3, 1911 (36 Stat. 1168), as submitted by the Attorney General through the Secretary of the Treasury, which requires an appropriation for its payment, as follows:

Under the War Department: Case of John F. Dunphy, as managing  
owner of steamship *Margaret J. Sanford*, against the United States of  
America ..... \$2,000

The necessity of the appropriation asked is explained in the letter of the Director of the Bureau of the Budget, transmitted herewith, in whose conclusions and observations thereon I concur.

Respectfully,

CALVIN COOLIDGE.

BUREAU OF THE BUDGET,  
Washington, February 28, 1925..

SIR: I have the honor to submit herewith for your consideration, and upon your approval for transmission to Congress, in accordance with the provisions contained in the deficiency act of April 27, 1904 (33 Stat. 422), a record of judgment rendered against the Government by the United States District Court for the Southern District of New York, under the provisions of the act of March 3, 1887 (24 Stat. 505), as amended by section 297 of the act of March 3, 1911 (36 Stat. 1168), as submitted by the Attorney General through the Secretary of the Treasury, which requires an appropriation for its payment, together with such additional sum as may be necessary to pay interest on said judgment at the rate of 4 per cent per annum from the date thereof until the time the appropriation is made, with the proviso that the judgment herein provided for shall not be paid until the right of appeal shall have expired, as follows:

Under the War Department: Case of John F. Dunphy, as managing owner of steamship *Margaret J. Sanford*, against the United States of America..... \$2,000

Since the foregoing is an obligation of the Government lawfully imposed, and which (subject to the reserved right of appeal) must be paid, and because it could not have been anticipated in the regular appropriation acts, an appropriation for that purpose is necessary at this time.

Very respectfully,

H. M. LORD,  
Director of the Bureau of the Budget.

The PRESIDENT.

DEPARTMENT OF JUSTICE,  
Washington, D. C., February 25, 1925.

John F. Dunphy (tug *Margaret J. Sanford*) v. United States (Army barges 313 and 771).

The SECRETARY OF THE TREASURY.

SIR: I am inclosing herewith certified copy of final decree which has been entered in the southern district of New York in the above matter under date of February 3, 1925.

In this suit a petition was filed under the Tucker Act claiming \$9,000 for salvage services rendered to these Army barges off Swinburne Island, New York Harbor, on February 4, 1920. Subsequent to the filing of the petition an investigation was made by the War Department and it was determined that while the United States was liable for salvage services rendered, the amount claimed in the petition was excessive. The War Department concluded that the value of the services rendered was \$2,000. The United States attorney and proctors for the libellant discussed this matter and finally decided on the figure of \$2,000 as a reasonable sum.

As set out in the inclosed final decree, stipulation was signed by the respective parties agreeing that the reasonable value of the services

was \$2,000 and judgment was entered in this sum. It is requested that this judgment be placed in line for payment.

Respectfully,

WILLIAM J. DONOVAN,  
*Assistant Attorney General*  
(For the Attorney General).

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Name: John F. Dunphy, as managing owner of steam tug *Margaret J. Sanford*.

Judgment: \$3,000.

Costs: None.

Date of judgment: February 3, 1925.

Nature of claim: Action to recover compensation for salvage services rendered to Army barges 313 and 771.

Final decree: It is now ordered, adjudged, and decreed that the petitioner, John F. Dunphy, recover of and from the United States of America as his award and damages, the sum of \$2,000, together with interest thereon from the date of the entry of this decree until paid. (United States District Court for the Southern District of New York.)

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